

DRAFT MINUTES

WISCONSIN RIVER RAIL TRANSIT COMMISSION

Executive Committee Meeting – Friday, 4 March 2005 at 10:00 a.m.

Dane County Highway Garage, 2302 Fish Hatchery Road, Madison, WI

1. Chair Shroble called the meeting to order at 10:01 a.m.
2. Executive Committee Member Roll Call:

William	Agnew	Rock	Present
Steve	Foye	Iowa	Present
Gene	Gray	Dane	Present
Marion	Martin	Grant	Present
Karl	Nilson	Waukesha	
Ted	Sheckler	Crawford	Present
Gerald	Shroble	Walworth	Present
Ed	Stoltz	Waukesha	
Larry	Volz	Sauk	Present

Other Commissioners Present: Richard Kuhnke (Walworth); Robert Sinklair (Sauk); Forrest Van Schwartz (Dane). **Others Present:** Joni Graves (SWWRPC/ WRRTC staff); Larry Nelson (City of Madison); Roger Larson (WisDOT District 1); and Ken Lucht (WSOR).

Richard Kuhnke, the new representative from Walworth County replacing Bill Miles, was introduced and welcomed to the Commission.

3. **Proof of Public Notice / Martin / Sinklair / Motion passed unanimously.**
4. **Approval of the revised Agenda, posted prior to the meeting / Foye / Sheckler / Motion passed unanimously.**
5. **Approval of the Minutes from the 4 February 2005 meeting of the Full Commission / Agnew / Foye / Motion passed unanimously.**
6. **WSOR Monthly Operator's Report – Ken Lucht**
 - a) General Maintenance Activities – WSOR is trying to maintain the system at class II standards.
 - b) State Rehab Project Planning – because of budget issues, the **Slinger-Hartford Rehab Project** in the northern division will not be completed as planned; instead, the scope of the project has been reduced and some of the money will be reallocated for another area in the northern division. Lucht requested that this be on the April Agenda and he will provide more information.

FOLLOW-UP:

- A. Slinger-Hartford Rehab Project will be on the April Agenda as an action item.
 - c) WSOR Capital Project Planning – projects include replacing a mile of ties in a section that serves the Badger Ethanol Plant (at Orford Hill).
 - d) Continuing Issues / Topics – traffic, fuel costs, and insurance costs.
 - e) 5 + 1 Plan – the proposed budget increase would not increase funding for projects that WSOR has identified and the railroad is trying to work with legislators. Other discussion related to materials for rehab projects.
7. **Wisconsin & Southern Railroad Year-End Operator's Report – Ken Lucht**

Lucht said that he was not sure why this was on the Agenda, it is sensitive information that WSOR would not want to provide, and explained that sometimes WSOR has had people from WRRTC to their staff meetings to discuss this type of information.

Background: The 1997 Operator's Agreement, Section 9.1 – Reports (a) stipulates: "Operator shall submit the following information to Commission and WisDOT within 45 days after the end of each quarter year beginning with the quarter ending December 31, 1994 for its operations. (i) An unaudited Statement of Revenues, Expenses,

Taxes and Income and General Ledger Trial Balance; (ii) A summary of originating and terminating traffic by commodity, by principal line segment, and by month; (iii) A statement of major traffic gains or losses and a summary of operating and maintenance activity by principal line segment; and (iv) A report of income that is excluded from Gross Operating Revenues generated from activities other than rail transportation of freight, including but not limited to rail car storage fees, building rent, excursion trains, car repair revenues, and the like. The report shall describe the amounts received, the duration of the period for which the income is received and the payer.” *Per the Operator’s Agreement, additional reports are also made to WisDOT.*

8. WisDOT Update – Frank Huntington

a) **Sauk Bridge Conditions Report** – the study concluded that there has been “virtually no movement.” In the future, WisDOT would like to have this scheduled every 18 months.

FOLLOW-UP:

A. Get copies of the completed report.

B. Plan to schedule the next site visit 18 months out. (Matzinger)

b) Village of Sauk City’s request to extend Carolina Street across the railroad corridor

The Agenda had been re-noticed in order to consider this request. Huntington explained that WisDOT staff had met with the Village and that WisDOT supports the request, with these specific conditions:

- The Village shall design the crossing in consideration of grade and drainage issues so as to accommodate future railroad service.
- The Village shall commit to paying for the cost of stop signs or warning protection determined necessary at the time of re-establishment of railroad service.
- The Village agrees to closure of one of the existing crossings at the time of rail re-establishment (specific crossing to be determined at such time).

Huntington explained that since the line is not active at this point, and there are other similar crossings, this request is not inappropriate. The decision would be made by the Office of the Commissioner of Railroads (OCR), but that the community would like a recommendation from WRRTC. After some discussion, the Sauk County members spoke in favor of the request. **Motion to support the Village of Sauk City’s request to extend Carolina Street across the railroad corridor, with the conditions outlined above / Volz / Foye / Motion passed unanimously.**

9. WRRTC Financials & Contracts – Jim Matzinger

a) **Treasurer’s Report for February 2005 – Motion to approve the Treasurer’s Report, as presented / Foye / Sheckler / Motion passed unanimously.**

b) **Consideration of action on invoices received by WRRTC.** These included: SWWRPC invoice \$23,000 for 2004; invoice from WisDOT for \$2,917 related to the Volkman settlement (WisDOT had advanced more money than the final settlement and requests that WRRTC reimburse it); and the last project payment for the Milton Junction-Anderson Siding project. **Motion to pay the bills as presented / Gray / Volz / Motion passed unanimously.**

c) **Update on Project 12 – Anderson Siding/Milton Junction.** Matzinger reported that the cost to each of the 15 counties will be \$11,685.74. **Motion to authorize WRRTC staff, Jim Matzinger, to close the project out / Foye / Gray / Motion passed unanimously.**

d) **Pecatonica Rail Transit Commission (PRTC) request to join the 66.0301 Agreement (on behalf of Green County)** – Graves, who also staffs the PRTC, presented the request. In the past two years, Green County has joined 14 EWCRC and WRRTC member counties and budgeted funds so that it shares equally in the local funding match for approved system-wide improvement projects. However this has been a relatively informal process. PRTC member counties Rock and Iowa are already represented in the 66.0301 Agreement as members of the Wisconsin River Rail Transit Commission (to-date, Lafayette County has not been asked to contribute funds, since they do not have active rail service). At its February 23rd meeting, the PRTC took formal action to indicate its interest in joining the 66.0301 Agreement. **Motion to give concept support to this request and seek legal guidance outlining the process that would be required to amend the 66.0301 Agreement so that the PRTC could formally participate / In discussion, Foye said that personally he**

doesn't see a reason for the Pecatonica to exist any more and would like to see it incorporated into this commission. Lucht said that he wholeheartedly supports merging, that that is part of the vision of the coordinating committee, and that Bob Hoesly [Chair of both the PRTC and the South Central Wisconsin Rail Transit Commission] is interested in disbanding SCWRTC. **Volz / Gray / Motion passed unanimously.**

e) **Continued Discussion – Use of County-Specific Designated Funds** – Foye provided an update on the Iowa County Finance Committee meeting, related to his proposal that Iowa County use its reserve account with WRTC to purchase replacement ties for use in the Village of Avoca and Arena. He said that members of the Iowa County Finance Committee had not known that this money existed and that no decision was made at the meeting. He said the options that he presented were that Iowa County could get the money kept in reserve back; use it for this project in Iowa County but only be able to buy about 750 ties; or use the money for its share of ongoing expenses/projects with the Commission. Matzinger asked if the county could say “we want to move our share to the general fund?” Foye said that that was one of the options but the Committee didn't want to do that. After some discussion, there was no action.

f) **Fee schedule for leases, permits, and other applicable charges** – Brownlee provided a summary of the type of fees that WRTC has charged and some of the legal issues related to the Commission's charging fees. **Motion to appoint Forrest Van Schwartz and Gene Gray to write up a recommended fee schedule and present it to the Commission / Foye / Sheckler / Motion passed unanimously.**

FOLLOW-UP:

A. The recommended fee schedule will be on the April Agenda.

10. New Business

a) **Mazomanie Line - Maintenance Proposal** – Foye spoke to his proposal that WRTC commit to pay WSOR up to \$4,300 to perform maintenance – weed-spraying and brush-cutting – on the Mazomanie Line. Huntington said that in the contract it's pretty clear that it's a WSOR responsibility, the line hasn't been used for rail service for some time, and that in three to five months WRTC may be talking about removing that track. In discussion, ideas for future use were tossed out informally. Lucht said that WSOR may be able to run a weed-cutter up there, that they're not neglecting their maintenance obligations, and he explained that they value it for storing cars to keep the public happy. No action was taken.

11. Updates/Old Business

- a) **66.0301 Sub-Committee** – Gray, Sills, Van Schwartz. The first meeting will be in April.
- b) **Advocacy Ad-Hoc Sub-Committee** – Nilson, Blazkowski, Van Schwartz. No meetings to-date.
- c) **Rehab Proposal** submitted to Senator Kohl, Congressman Kind, and copied to the Governor's Office. Foye and Van Schwartz said that the proposal sent to Senator Kohl was very nicely done.
- d) **Resolution of the Spring Grove, IL property question** – Graves reported that no action was necessary.

12. The meeting adjournment at 11:55 am.

FOLLOW-UP:

- A Commissioner asked that the WSOR Report be on the next Agenda for discussion.
- Eileen Brownlee will review WRTC's permits and provide Van Schwartz, Gray, and staff with a summary of fees that have been included but not necessarily levied.